

§ 198d. Forfeiture of property used in commission of offenses

All guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States, and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

(Mar. 2, 1929, ch. 583, § 5, 45 Stat. 1538.)

REFERENCES IN TEXT

This Act, referred to in text, is act Mar. 2, 1929, which is classified to sections 198 to 198j of this title. For complete classification of this Act to the Code, see Tables.

§§ 198e to 198j. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 198e, acts Mar. 2, 1929, ch. 583, § 6, 45 Stat. 1538; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to appointment and jurisdiction of commissioner. See provisions covering United States magistrate judges in section 631 et seq. of Title 28, Judiciary and Judicial Procedures.

Section 198f, act Mar. 2, 1929, ch. 583, § 7, 45 Stat. 1538, related to issuance of process and arrest. See sections 3041 and 3141 of Title 18, Crimes and Criminal Procedure, and rules 4, 5(c), and 9 of Federal Rules of Criminal Procedure, Title 18, Appendix.

Section 198g, act Mar. 2, 1929, ch. 583, § 8, 45 Stat. 1538, related to whom process is directed and arrest without process. See section 3053 of Title 18, Crimes and Criminal Procedure, rule 4 of Federal Rules of Criminal Procedure, Title 18, Appendix, and rule 4 of Federal Rules of Civil Procedure, Title 28, Appendix, Judiciary and Judicial Procedure.

Section 198h, acts Mar. 2, 1929, ch. 583, § 9, 45 Stat. 1539; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to salary.

Section 198i, act Mar. 2, 1929, ch. 583, § 10, 45 Stat. 1539, related to fees, costs, and expenses.

Section 198j, act Mar. 2, 1929, ch. 583, § 11, 45 Stat. 1539, related to disposition of fines and costs.

SUBCHAPTER XXII—LASSEN VOLCANIC NATIONAL PARK

§ 201. Establishment; boundaries; trespassers; entries under land laws; indemnity lands

All those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit: Beginning at the northeast corner of section 3, township 31, range 6 east, Mount Diablo meridian, California; thence southerly to the southeast corner of said section; thence easterly to the northeast corner of the northwest quarter of section 11, said township; thence southerly to the southeast corner of the southwest quarter of section 14, said township; thence easterly to the northeast cor-

ner of the northwest quarter of section 24, said township; thence southerly to the southeast corner of the southwest quarter of section 25, said township; thence westerly to the southwest corner of section 26, said township; thence southerly to the southeast corner of section 34, said township; thence westerly along the sixth standard parallel north, allowing for the proper offsets, to the northeast corner of section 3, township 30 north, range 6 east; thence southerly to the southeast corner of section 27, said township; thence westerly to the southwest corner of the southeast quarter of section 28, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the southwest corner of the northwest quarter of said section; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section 20, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the range line between ranges 5 and 6 east; thence southerly along said range line to the southeast corner of township 30 north, range 5 east; thence westerly along the township line between townships 29 and 30 north to the southwest corner of section 33, township 30 north, range 5 east; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section 29, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the southwest corner of the northwest quarter of said section; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section 20, township 30 north, range 4 east; thence northerly to the northwest corner of the southeast quarter of section 8, said township; thence easterly to the northeast corner of the southwest quarter of section 9, said township; thence northerly to the township line between townships 30 and 31 north; thence easterly along the sixth standard parallel north, allowing for the proper offsets, to the southwest corner of section 33, township 31 north, range 4 east; thence northerly to the northwest corner of section 21, said township; thence easterly to the range line between ranges 4 and 5 east; thence northerly along said range line to the northwest corner of fractional section 18, township 31 north, range 5 east; thence easterly to the southwest corner of section 12, said township; thence northerly to the northwest corner of section 1, said township; thence easterly along the township line between townships 31 and 32 north to the northeast corner of section 3, township 31 north, range 6 east, the place of beginning, are reserved and withdrawn from settlement, occupancy, disposal, or sale, under the laws of the United States, and said tracts are dedicated and set apart as a public park or pleasuring ground for the benefit and enjoyment of the people of the United States under the name and to be known and designated as the Lassen Volcanic National Park; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers and be removed therefrom. Nothing

herein contained shall affect any valid claim, location, or entry existing under the land laws of the United States before August 9, 1916, or the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. No lands located within the park boundaries held prior to August 9, 1916, in private, municipal, or State ownership shall be affected by or subject to the provisions of this section and sections 202 and 203 of this title. No lands within the limits of said park created belonging to or claimed by any railroad or other corporation having or claiming on August 9, 1916, the right of indemnity selection by virtue of any law or contract whatsoever shall be used as a basis for indemnity selection in any State or Territory whatsoever for any loss sustained by reason of the creation of said park.

(Aug. 9, 1916, ch. 302, § 1, 39 Stat. 442; Jan. 26, 1931, ch. 47, § 4, 46 Stat. 1043; Pub. L. 92-510, § 4, Oct. 19, 1972, 86 Stat. 918.)

REFERENCES IN TEXT

The land laws of the United States, referred to in text, are classified generally to Title 43, Public Lands.

AMENDMENTS

1972—Pub. L. 92-510 struck out provision that “The United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project.”

1931—Act Jan. 26, 1931, forbade acquisition of rights of way for steam and electric railways, automobiles or wagon roads within the park.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

ACCEPTANCE OF CERTAIN LAND

Act May 21, 1928, ch. 658, 45 Stat. 644, provided that: “The Secretary of the Interior be, and he is hereby, authorized to accept on behalf of the United States, title to the northeast quarter northeast quarter section 27, township 30 north, range 5 east, Mount Diablo base and meridian, situate within the exterior boundaries of Lassen Volcanic National Park, from the State of California, and in exchange therefor may patent an area of unreserved, vacant, nonmineral public land of equal value situate in the same State. The land which may be acquired by the United States under this Act shall, upon acceptance of title, become a part of Lassen Volcanic National Park.”

§ 201a. Revision of boundaries

The boundaries of the Lassen Volcanic National Park are changed to read as follows:

Beginning at the southwest corner of the southeast quarter of section 29, township 30 north, range 5 east, Mount Diablo meridian, on the present south boundary line; thence west on the section line between sections 29 and 32 and 30 and 31, township 30 north, range 5 east, and between sections 25 and 36 and 26 and 35 and 27 and 34 and 28 and 33 and 29 and 32 to the southwest corner of section 29, township 30 north, range 4 east; thence north on the section line be-

tween sections 29 and 30 and 19 and 20 and 18 and 17 and 7 and 8 and 6 and 5 to the northwest corner of fractional section 5, township 30 north, range 4 east; thence east on the township line to the southwest corner of section 32, township 31 north, range 4 east; thence north on the section line between sections 31 and 32, 29 and 30, and 19 and 20, to the northwest corner of section 20, same township and range; thence west to the southwest corner of section 18, same township and range; thence north on township line to the northwest corner of the southwest quarter of section 7, same township and range; thence east on the quarter section line to the northwest corner of the southwest quarter of section 8, same township and range; thence north to the northwest corner of said section 8; thence east to the northeast corner of said section 8; thence north to the northwest corner of the southwest quarter of section 4, same township and range; thence east on the quarter section line to the point where it intersects Lost Creek; thence following Lost Creek in a southerly direction to a point where it intersects the north line of section 14, township 31 north, range 4 east; thence east on said section line and along the section line between sections 12 and 13, said township and range, to intersection with the present park boundary; and

Beginning at a point on the present north boundary which is the southwest corner of the southeast quarter section 8, township 31 north, range 5 east; thence north to the northwest corner of the southeast quarter, same section, township, and range; thence east on quarter section line to a point on the present park boundary which is the northwest corner of the southwest quarter of section 12, same township and range; and

Beginning at the northeast corner of the northwest quarter of section 24, township 31 north, range 6 east, a point on the present east boundary line; thence east between sections 13 and 24 to the northeast corner of section 24, said township; thence south on the range line three miles to the southeast corner of section 36, said township; thence west on the township line to the northeast corner of section 1, township 30 north, range 6 east; thence south on the range line to the southeast corner of section 25, said township; thence west along the section line to the southwest corner of section 26 on the present south boundary line; thence along the present boundary line and continuing on the section line to the southwest corner of section 28; thence north on the section line to the northwest corner of the southwest quarter of the southwest quarter of said section 28; thence west to the southwest corner of the northeast quarter of the southwest quarter of section 29; thence north to the northwest corner of the southeast quarter of the northwest quarter of said section 29; thence west to the southwest corner of the northeast quarter of the northeast quarter of section 30; thence north to the northwest corner of the northeast quarter of the northeast quarter of said section 30; thence west to the northeast corner of the northeast quarter of the northwest quarter of said section 30; thence south to the southeast corner of the northeast quarter of the northwest quarter of said section 30; thence west

to the southeast corner of the northwest quarter of the northwest quarter of said section 30; thence south to the southeast corner of the northwest quarter of the southwest quarter of said section 30; thence west to the southwest corner of the northwest quarter of the southwest quarter of said section 30, township 30 north, range 6 east, which is a point on the present boundary line.

All of those lands lying within the boundary lines above described and the present boundary lines are included in and made a part of the Lassen Volcanic National Park.

(Jan. 19, 1929, ch. 75, § 1, 45 Stat. 1081.)

§ 201b. Sections applicable to lands within revised boundaries

The provisions of sections 1, 2, 3, 4, 201, 202, and 203 of this title and all Acts supplementary to and amendatory of said sections are made applicable to and extended over the lands added to the park by section 201a of this title: *Provided*, That the provisions of the Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to or extend over such lands.

(Jan. 19, 1929, ch. 75, § 2, 45 Stat. 1082.)

REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, entitled 'an Act to create a Federal power commission; to provide for the improvement of navigation, the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes'", and was redesignated the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§ 791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

§ 202. Control; rules and regulations; fish and game; leases; automobiles; stock grazing

Lassen Volcanic National Park shall be under the exclusive control of the Secretary of the Interior. He shall make such rules and regulations and exercise such powers as are enumerated in section 3 of this title insofar as not inconsistent with this section. Such regulations shall be aimed primarily at the freest use of the said park for recreation purposes by the public and for the preservation from injury or spoliation of all timber, mineral deposits, and natural curiosities or wonders within said park and their retention in their natural condition as far as practicable and for the preservation of the park in a state of nature so far as is consistent with the purposes of this section and sections 201 and 203 of this title. He shall provide against the wanton destruction of the fish and game found within said park and against their capture or destruction for purposes of merchandise or profit, and generally shall be authorized to take all such measures as shall be necessary to fully carry out the objects and purposes of said sections. He may, in his discretion, execute leases to parcels of ground not exceeding 10 acres in extent at any one place to any one person or persons or company for not to exceed 20 years when such ground is necessary for the erection of buildings

for the accommodation of visitors and to parcels of ground not exceeding one acre in extent and for not to exceed 20 years to persons who have heretofore erected, or whom he may hereafter authorize to erect, summer homes or cottages. Such leases or privileges may be renewed or extended at the expiration of the terms thereof. No exclusive privilege, however, shall be granted within the park except upon the ground leased. The regulations governing the park shall include provisions for the use of automobiles therein and the reasonable grazing of stock.

(Aug. 9, 1916, ch. 302, § 2, 39 Stat. 444.)

CODIFICATION

A provision for the making of necessary rules and regulations by the Secretary of the Interior has been omitted by reason of the reference to section 3 of this title, derived from act Aug. 25, 1916, ch. 408, § 3, 39 Stat. 535, authorizing the Secretary of the Interior to make and publish rules and regulations applicable to National Parks.

§ 202a. Summer homes and cottages

After January 26, 1931, no permit, license, lease, or other authorization for the use of land within the Lassen Volcanic National Park, California, for the erection and maintenance of summer homes or cottages shall be granted or made: *Provided, however*, That the Secretary of the Interior may, in his discretion, renew any permit, license, lease, or other authorization for such purpose granted or made prior to January 26, 1931.

(Jan. 26, 1931, ch. 47, § 3, 46 Stat. 1043.)

§ 203. Sale and removal of timber; charges for leases and privileges

The Secretary of the Interior may sell and permit the removal of such matured or dead or down timber as he may deem necessary or advisable for the protection or improvement of the park, and may exact such charges as he deems proper for leases and all other privileges granted under this section and sections 201 and 202 of this title.

(Aug. 9, 1916, ch. 302, §§ 3, 4, 39 Stat. 444.)

§ 204. Exclusive jurisdiction ceded to United States by California

Sole and exclusive jurisdiction is assumed by the United States over the territory which is included as of April 26, 1928, or thereafter within the Lassen Volcanic National Park, saving, however, to the State of California the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park, and the right to fix and collect license fees for fishing in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county or counties in which said park is situated. All the laws applicable to places under sole and exclusive jurisdic-

tion of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of California.

(Apr. 26, 1928, ch. 438, § 1, 45 Stat. 463.)

CODIFICATION

A provision accepting the act of the California Legislature which ceded to the United States exclusive jurisdiction over the territory referred to in this section has been omitted as executed.

§§ 204a, 204b. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 204a, act Apr. 26, 1928, ch. 438, § 2, 45 Stat. 463, related to inclusion of park in a judicial district. See section 84 of Title 28, Judiciary and Judicial Procedure.

Section 204b, act Apr. 26, 1928, ch. 438, § 3, 45 Stat. 463, related to application of California laws to offenses. See section 13 of Title 18, Crimes and Criminal Procedure.

§ 204c. Hunting and fishing; general rules and regulations; protection of property; violation of statutes and rules; penalties

All hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of any of the waters of the said park in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits other than those legally located prior to August 9, 1916, natural curiosities, or wonderful objects within said park, and for the protection of the animals in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this Act, or any rule or regulation that may be promulgated by the Secretary of the Interior, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits other than those legally located prior to August 9, 1916, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the

said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to August 9, 1916, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings.

(Apr. 26, 1928, ch. 438, § 4, 45 Stat. 463.)

REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 26, 1928, which is classified to sections 204 to 204j of this title. For complete classification of this Act to the Code, see Tables.

§ 204d. Forfeiture of property used for unlawful purposes

All guns, traps, teams, horses, or means of transportation of every nature or description, used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals, shall be forfeited to the United States and may be seized by the officers in said park, and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

(Apr. 26, 1928, ch. 438, § 5, 45 Stat. 464.)

REFERENCES IN TEXT

This Act, referred to in text, is act Apr. 26, 1928, which is classified to sections 204 to 204j of this title. For complete classification of this Act to the Code, see Tables.

§§ 204e to 204j. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section 204e, acts Apr. 26, 1928, ch. 438, § 6, 45 Stat. 464; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to appointment and jurisdiction of commissioner. See provisions covering United States magistrate judges in section 631 et seq. of Title 28, Judiciary and Judicial Procedure.

Section 204f, act Apr. 26, 1928, ch. 438, § 7, 45 Stat. 465, related to issuance of process. See sections 3041 and 3141 of Title 18, Crimes and Criminal Procedure, and rules 4, 5(c), and 9 of Federal Rules of Criminal Procedure, Title 18, Appendix.

Section 204g, act Apr. 26, 1928, ch. 438, § 8, 45 Stat. 465, related to issuance of process and arrest without process. See section 3053 of Title 18, Crimes and Criminal Procedure, Rule 4 of Federal Rules of Criminal Procedure, Title 18, Appendix, and rule 4 of Federal Rules of Civil Procedure, Title 28, Appendix, Judiciary and Judicial Procedure.

Section 204h, acts Apr. 26, 1928, ch. 438, § 9, 45 Stat. 465; June 28, 1938, ch. 778, § 1, 52 Stat. 1213, related to commissioner's [now magistrate judge's] salary.

Section 204i, act Apr. 26, 1928, ch. 438, § 10, 45 Stat. 465, related to fees, costs and expenses against the United States.

Section 204j, act Apr. 26, 1928, ch. 438, §11, 45 Stat. 465, related to disposition of fines and costs.

§ 204k. Addition of lands

The President of the United States is authorized, upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to the Lassen Volcanic National Park, in the State of California, by Executive proclamation, any or all of the lands within sections 3 and 4, township 29 north, range 6 east; and sections 29, 30, 31, 32, 33, 34, 35, and 36, township 30 north, range 6 east, Mount Diablo meridian, not now included within the boundaries of the park: *Provided*, That no privately owned lands shall be added to the park prior to the vesting in the United States of title thereto.

(July 3, 1930, ch. 834, §1, 46 Stat. 853.)

§ 204l. Application of Federal Power Act

The provisions of the Federal Power Act [16 U.S.C. 791a et seq.], shall not apply to any lands added to the Lassen Volcanic National Park under the authority of section 204k of this title.

(July 3, 1930, ch. 834, §2, 46 Stat. 853.)

REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, known as the Federal Water Power Act," and was redesignated as the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

§ 204m. Vested rights

Nothing herein contained shall affect any vested and accrued rights of ownership of lands or any valid existing claim, location, or entry existing under the land laws of the United States on July 3, 1930, whether for homestead, mineral, rights-of-way, or any other purposes whatsoever, or any water rights and/or rights-of-way connected therewith, including reservoirs, conduits, and ditches, as may be recognized by local customs, laws, and decisions of courts, or shall affect the right of any such owner, claimant, locator, or entryman to the full use and enjoyment of his land.

(July 3, 1930, ch. 834, §3, 46 Stat. 853.)

REFERENCES IN TEXT

Herein, referred to in text, means act July 3, 1930, which is classified to sections 204k to 204m of this title. For complete classification of this Act to the Code, see Tables.

§ 205. Additional lands for administrative headquarters site

The lands hereafter described, to wit: The southwest quarter of the northwest quarter, section 25, and the southeast quarter of the northeast quarter, section 26, township 29 north, range 3 east, Mount Diablo meridian, in the State of California, are added to and made a part of the Lassen Volcanic National Park for use as an administrative headquarters site.

(Apr. 26, 1928, ch. 439, §1, 45 Stat. 466.)

§ 205a. Sections made applicable to additional lands

The provisions of sections 1, 2, 3, 4, 201, 202, and 203 of this title and all Acts supplementary to and amendatory of said sections are made applicable to and extended over the lands added to the park: *Provided*, That the provisions of the Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to or extend over such lands.

(Apr. 26, 1928, ch. 439, §2, 45 Stat. 466.)

REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, entitled 'an Act to create a Federal power commission; to provide for the improvement of navigation, the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes'", and was redesignated the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

§ 206. Exchange of lands within exterior boundaries; removal of timber

When the public interests will be benefited thereby, the Secretary of the Interior is authorized, in his discretion, to accept, on behalf of the United States, title to any land within exterior boundaries of Lassen Volcanic National Park which, in the opinion of the Director of the National Park Service, are chiefly valuable for forest or recreational and national-park purposes, and in exchange therefor may patent not to exceed an equal value of such national-park land within the exterior boundaries of said national park; or the Secretary of the Interior may authorize the grantor to cut and remove an equal value of timber in exchange therefor from certain designated areas within the exterior boundaries of said national park: *Provided*, That such timber shall be cut and removed from such designated area in a manner that will not injure the national park for recreational purposes and under such forestry regulations as shall be stipulated, the values in each case to be determined by the Secretary of the Interior. Lands conveyed to the United States under this section shall, upon acceptance of title, become a part of Lassen Volcanic National Park.

(Mar. 1, 1929, ch. 445, 45 Stat. 1443.)

§ 207. Exchange of certain lands; adjustment of boundary

The Secretary of the Interior is authorized to accept on behalf of the United States, for inclusion in the Lassen Volcanic National Park, fee simple title to the tract of land containing ten acres, now adjoining said park, and described as the west half west half northwest quarter northeast quarter section 30, township 30 north, range 6 east, Mount Diablo base and meridian, and in exchange therefor is authorized and empowered to patent to the owner of said land ten acres of land now within said park and described as the southwest quarter northeast quarter northeast quarter section 30, township 30 north, range 6

east, Mount Diablo base and meridian: *Provided*, That the land acquired by the United States under this section and section 207a of this title shall, upon acceptance of title, become and be a part of the Lassen Volcanic National Park and subject to all laws and regulations relating to the lands therein, and the land exchanged therefor shall, upon issuance of patent, be excluded from the park.

(Apr. 19, 1930, ch. 191, § 1, 46 Stat. 222.)

§ 207a. Application of Federal Power Act to lands acquired under section 207

The provisions of the Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to or extend over the land acquired for inclusion in the Lassen Volcanic National Park in accordance with the provisions of this section and section 207 of this title.

(Apr. 19, 1930, ch. 191, § 2, 46 Stat. 222.)

REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, entitled 'an Act to create a Federal power commission; to provide for the improvement of navigation, the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes'", and was redesignated the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§ 791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

§ 207b. Exchange of lands with California; adjustment of boundary

The Secretary of the Interior is authorized to accept on behalf of the United States title to the northeast quarter northeast quarter section 27, township 30 north, range 5 east, Mount Diablo base and meridian, situate within the exterior boundaries of Lassen Volcanic National Park, from the State of California, and in exchange therefor may patent an area of unreserved, vacant, nonmineral public land of equal value situate in the same State. The land which may be acquired by the United States under this section shall, upon acceptance of title, become a part of Lassen Volcanic National Park.

(May 21, 1928, ch. 658, 45 Stat. 644.)

§ 207c. Additional lands from Lassen National Forest; authorization for road

The following described lands of the Lassen National Forest are hereby excluded from the forest and added to the Lassen Volcanic National Park:

Lots 1, 2, and 3, south half northeast quarter, and southeast quarter northwest quarter section 4; west half southeast quarter and those parts of the south half northwest quarter and of the southwest quarter of section 11 lying east of Lost Creek; and section 19, township 31 north, range 4 east, Mount Diablo meridian: *Provided*, That the aforesaid lands in section 19 are included within the national park subject to the right of the Secretary of Agriculture to construct and maintain a permanent road through

such section in order to permit the use, protection, and administration of adjacent national forest lands and the removal of timber from the national forest.

(Pub. L. 87-129, Aug. 10, 1961, 75 Stat. 319.)

SUBCHAPTER XXIII—ABRAHAM LINCOLN BIRTHPLACE NATIONAL HISTORICAL PARK

§ 211. Acceptance of title; terms and conditions; admission fees

The United States of America accepts title to the lands mentioned in the deed of gift or conveyance in possession of the Secretary of War on July 17, 1916, together with all the buildings and appurtenances thereon, especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, which deed of conveyance was executed on the 11th day of April, 1916, by the Lincoln Farm Association, a corporation, to the United States of America, describing certain lands situated near the town of Hodgenville, county of Larue, State of Kentucky, which lands are more particularly identified and described in said deed or conveyance. The title to such lands, buildings, and appurtenances is accepted upon the terms and conditions stated in said deed or conveyance, namely: That the land therein described, together with the buildings and appurtenances thereon, shall be forever dedicated to the purposes of a national park or reservation, the United States of America agreeing to protect and preserve the said lands, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, so far as may be; and further agreeing that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation.

(July 17, 1916, ch. 247, § 1, 39 Stat. 385; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, c. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

TRANSFER OF FUNCTIONS

Transfer of control of Abraham Lincoln National Park [now Abraham Lincoln Birthplace National Historical Park] to the Office of National Parks, Buildings and Reservations in the Department of the Interior, see section 2 of Ex. Ord. No. 6166, June 10, 1933, set out as a note under section 901 of Title 5, Government Organization and Employees. This office was designated the National Park Service in the Department of the Interior by act Mar. 2, 1934, ch. 38, 48 Stat. 389.

§ 212. Endowment fund; protection and preservation

The United States of America also accepts title to the endowment fund of \$50,000 mentioned